

IN THE UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

BOBBY BLAND, DANIEL RAY CARTER,
JR., DAVID W. DIXON, ROBERT W.
MCCOY, JOHN C. SANDHOFER, and
DEBRA H. WOODWARD

Plaintiffs,

CASE NO4:11-CV-45

v.

B.J. ROBERTS, individually and in his official
capacity as Sheriff of the City of Hampton,
Virginia

Defendant.

DECLARATION

I, Kenneth C. Darling, having direct knowledge of the information set forth below,
hereby depose and declare as follows:


1. I am a citizen and resident of the Commonwealth of Virginia and the United States. I maintain my principal residence at 2810 Wesley Road, Chesapeake, Virginia 23323.
2. I was employed as a ~~Deputy Sheriff~~ ^{CIVILIAN EMPLOYEE}  in the Hampton Sheriff's Office from April of 2007 to the end of December, 2009.
3. I worked for the Hampton Sheriff's Office during the Sheriff's re-election campaign in the fall of 2009.
4. The Sheriff's senior subordinates coerced employees to sell tickets and/or buy tickets to campaign fund-raising events and to otherwise support his political campaign for Sheriff. In the spring of 2008 I was asked by Col. Karen Bowden to report to the Sheriff's golf tournament which was a fund raiser for his re-election effort. I told Col. Bowden that I was

Exhibit 20

Declarant's Initials: 

working that day. She told me to report anyway. I arrived there and I worked in support of the event. I was paid my normal wages without having to take vacation or "clock out." Col. Bowden was aware of this. Several of my colleagues were working at the event, and I believe that they were being paid "on the clock" from public funds as well.

5. Sheriff Roberts and his subordinates created an atmosphere where it was expected that deputies ^{AND CIVILIANS ~~HE~~} would provide some level of support to his re-election efforts. With respect to the Sheriff's annual golf tournament, the proceeds of which were used to support his re-election efforts, Major Richardson frequently told me that I had to take tickets to the event and either "buy them" or "sell them". The proceeds from these tickets supported the Sheriff's re-election campaign.

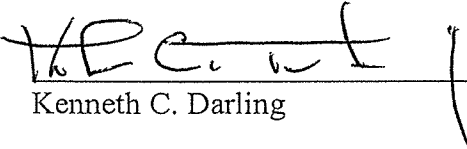
6. I heard Col. Bowden, Major Wells-Major, Major Richardson and Captain McGee on various occasions say to other deputies ^{CIVILIANS ~~HE~~} and to me, "be sure you are supporting the right person" or words to that effect. It was clear to me that they meant that I should "be sure" I was supporting Sheriff Roberts. Major Wells-Major was sometimes more direct as she would say to me "if you do not support the Sheriff, you are not going anywhere." I also heard from various senior officers "you know how it works around here" in the context of the Sheriff's expectations regarding support of his political events. This phrase clearly meant to me that our support was required.

7. Sometime in the late summer of 2009, the Sheriff spoke to a meeting of the operations department with some administrative staff present. I believe that court services personnel also attended. The Sheriff spoke for several minutes. The Sheriff appeared to be upset when he spoke. He related that he had recently learned that certain employees were on the Facebook page of his opponent, Jim Adams, indicating their support of Adams for Sheriff.

Sheriff Roberts made a speech in which he said that he did not want to see any of his employees on his opponent's Facebook page. While I do not remember his exact words, he stated that he would have the position of Sheriff as long as he wanted it and that if he learned of our support for his opponent we would be fired.

I declare under penalty of perjury under the laws of the United States that the foregoing statement is true and correct.

Date: 10/12/11


Kenneth C. Darling